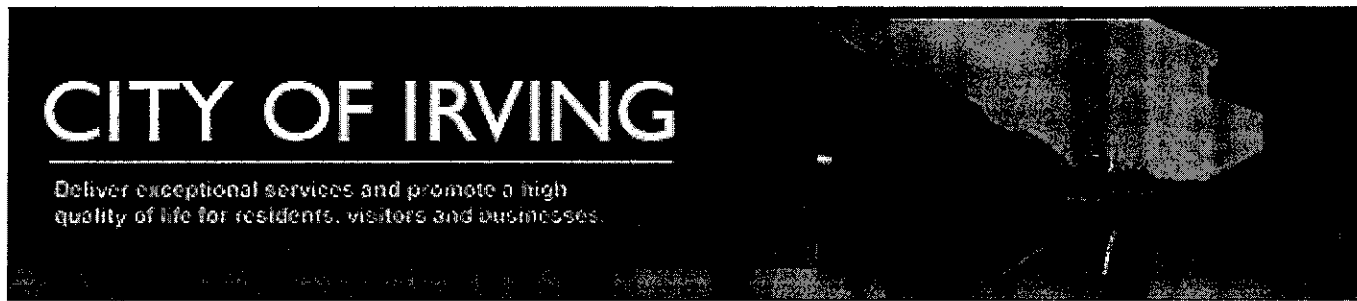


# Exhibit 4



## City of Irving City Charter

### Home Rule Charter

#### PART I THE CHARTER\*

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\*Editor's note: Set out herein is the Home Rule Charter of the City of Irving. The Charter was approved by the voters of the city on October 25, 1952. Amendments to the Charter have been included, and are indicated by an historical citation in parentheses following each amended or added section. A uniform system of capitalization has been employed in the Charter. Catchlines to sections and subsections have in some instances been slightly altered for clarity. A frontal analysis of the catchlines has been used for the convenience of the user.

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#### Article I. Corporate Name

##### § 1. Designated.

#### Article II. Municipal Boundaries

##### § 1. Designated.

##### § 2. Extension and alteration.

##### § 3. Platting of property.

#### Article III. Corporate Powers

##### § 1. Generally.

##### § 2. Ordinances--Power to enact.

##### § 3. Same--Style.

##### § 4. Real estate; etc., owned by city.

##### § 5. Authority to acquire or dispose of property.

##### § 6. Exemption of public property from execution.

##### § 7. City funds exempt from garnishment.

##### § 8. Liability for negligence.

**Sec. 30. Power to fix penalties.**

The city council shall be authorized to fix fines for failure of any person, firm, partnership, corporation, association or other entity to comply with any ordinance established by the city council or state law and the maximum fine shall only be limited by state law.

(Ord. No. 5567, § 3, 1-23-89)

**Sec. 31. Public library.**

The City of Irving shall have the power to provide for a public library system and its maintenance.

(Ord. No. 5567, § 3, 1-23-89)

**ARTICLE IV. OFFICERS AND ELECTIONS****Sec. 1. Governing body.**

The governing and law making body of the City of Irving shall consist of a mayor and eight (8) councilmen and said governing body shall be known as the city council.

(Ord. No. 889; Ord. No. 1588)

**Sec. 2. Elective officers.**

(a) The members of the city council of the City of Irving, which includes the mayor and eight (8) councilmembers, shall be the only elective officers of the city, and they shall be elected and hold office and be compensated as herein provided. The mayor and councilmembers shall be elected by the qualified voters of the entire city, but each councilmember shall be elected to and occupy a place on the council such places being numbered 1, 2, 3, 4, 5, 6, 7 and 8 respectively. The places of the councilmembers shall be designated on the official ballot as Councilmember Place 1, 2, 3, 4, 5, 6, 7 and 8.

(b) No person shall be eligible as a candidate for Place 1 on the city council, unless that person is at the time a bona fide resident of district "1" and has been for a period of at least twelve (12) months prior to the filing deadline.

No person shall be eligible as a candidate for Place 2 on the city council unless that person is at the time a bona fide resident of district "2" and has been for a period of at least twelve (12) months prior to the filing deadline.

No person shall be eligible as a candidate for Place 3 on the city council unless that person is at the time a bona fide resident of district "3" and has been for a period of at least twelve (12) months prior to the filing deadline.

No person shall be eligible as a candidate for Place 4 on the city council unless that person is at the time a bona fide resident of district "4" and has been for a period of at least twelve (12) months prior to the filing deadline.

No person shall be eligible as a candidate for Place 5 on the city council unless that person is at the time a bona fide resident of district "5" and has been for a period of at least twelve (12) months prior to the filing deadline.

Until the boundaries of the districts are revised they shall have the same boundaries as set forth in the City of Irving Ordinance No. 2721.

(d) At least once each ten (10) years after the adoption of this amendment, the city council shall by ordinance rearrange said districts so as to make all districts as nearly equal in population as possible.

(Ord. No. 889; Ord. No. 1588; Ord. No. 2721, § 1, 12-19-74; Ord. No. 4754, § 3, 8-15-85; Ord. No. 5567, § 3, 1-23-89)

**Sec. 4. Election.**

The mayor and councilmembers shall be elected by the qualified voters of the entire city, and the candidate receiving the majority number of votes of the entire cast for the place which that person seeks shall be elected to the respective office for which that person was a candidate.

(Ord. No. 889; Ord. No. 4754, § 4, 8-15-85)

**Sec. 5. Judge of election; runoff election.**

(a) The city council shall be the judge of the election and qualification of its own members and of the mayor, subject to review of the courts in case of an election contest. The city council shall, as soon as practicable after an election, either at a called meeting for that purpose or at the next regular meeting date of said city council after each regular or special election, canvass the returns and declare the results of such election.

(b) Should any candidate running for mayor or councilmember fail to receive a majority vote of all votes cast in the regular municipal election for the office which the candidate seeks, then in that event it shall be the duty of the mayor to order a runoff election for every place or mayor to which no one was elected. Such runoff election shall be held two weeks after the date of the regular municipal election, and in such runoff election the two candidates who received the highest number of votes for each place or mayor to which no one was elected shall be voted on again, and the candidate who receives the majority of the votes cast for each such place or mayor in the runoff election shall be elected to such place or mayor. Should any person who was a candidate at the regular municipal election and who is entitled to become a candidate at the runoff election die, refuse or otherwise be unable to appear on the runoff election ballot, the candidate for such office standing next highest in the computation of votes for that office shall succeed to the rights of such candidate who failed to appear on the ballot at said runoff election. This method for selecting alternate runoff candidates shall be employed until there are two (2) candidates for each office in each runoff election and should there be only one candidate for office after the conclusion of this process, that candidate shall be declared the winner. However, if at the date of the election, there is no runoff candidate left from those who sought to be elected to that place or mayor in the regular election, the city council shall declare no one elected to such place or mayor